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Attorney's Docket No.: 09531-088001 / Z01223

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Daniel Vallera, et al.
Serial No. : 10/033,577
Filed : December 28, 2001
Title : DTAT FUSION TOXIN

Art Unit : 1645
Examiner : Unknown

BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

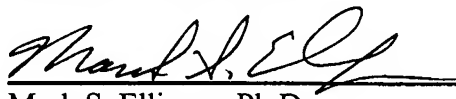
In response to the Notice to File Missing Parts of Application under 37 U.S.C. §1.53(b) mailed March 15, 2002 (copy enclosed), applicant claims small entity status (see 37 CFR 1.27) and submits herewith the following:

- ☒ Payment of the surcharge of \$65 for late filing of the basic filing fee and/or declaration;
- ☒ A check in the total amount of \$65 is attached; and
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63.

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: April 9, 2002

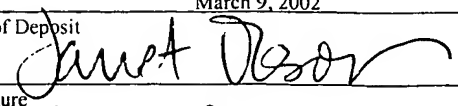

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60079494.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

March 9, 2002
Date of Deposit

Signature
Janet Olson
Typed or Printed Name of Person Signing Certificate



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COMMISSIONER FOR PATENTS
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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/033,577	12/28/2001	Daniel A. Vallera	09531-088001

CONFIRMATION NO. 9219

FORMALITIES LETTER



MARK S. ELLINGER, PH.D.
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Suite 3300
60 South Sixth Street
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Date Mailed: 03/15/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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